

Central Intelligence Agency



Washington, D.C. 20505

(b)(3)

August 11, 2008

Mr. Mark S. Zaid
Executive Director
The James Madison Project
1250 Connecticut Avenue, NW, Suite 200
Washington, D. C. 20036

APPROVED FOR
RELEASE ☐ DATE:
18-Aug-2010

Reference: F-2008-01309

Dear Mr. Zaid:

On 27 May 2008, the office of the Information and Privacy Coordinator received your 26 May 2008 Freedom of Information Act (FOIA) request for **“copies of all internal Central Intelligence Agency (‘CIA’) documents, including cross-references, pertaining to regulations, policies, and guidelines governing the CIA’s assertion of the State Secrets Privilege in ongoing federal cases, including but not limited to:**

- 1) Regulations, policies, or guidelines addressing the question of when and when not to assert this privilege;**
- 2) Regulations, policies, or guidelines addressing what information to include in declarations or affidavits submitted to the court in support of the assertion of this privilege; and**
- 3) Correspondence, emails, meeting minutes, and records of any discussions regarding these regulations, policies, or guidelines.”**

We have assigned your request the reference number above. Please use this number when corresponding so that we can identify it easily.

We accept your request and will process it according to the FOIA, 5 U.S.C. § 552, as amended, and the CIA Information Act, 50 U.S.C. § 431, as amended. Our search will include records existing through the date of this acceptance letter.

Based on the information provided in your letter, we determined that your request falls into the “all other” fee category, which means that you will be required to pay charges that recover the cost of searching for and reproducing responsive records (if any) beyond the first 100 pages of reproduction and the first two hours of search time, which are free. Copies are ten cents per page. However, as an act of administrative discretion, there will be no charge for processing this request.

The large number of FOIA requests CIA receives has created unavoidable delays making it unlikely that we can respond within the 20 working days the FOIA requires. You have the right to consider our honest appraisal as a denial of your request and you may appeal to the Agency Release Panel. A more practical approach would permit us to continue processing your request and respond to you as soon as we can. You will retain your appeal rights and, once you receive the results of our search, can appeal at that time if you wish. We will proceed on that basis unless you object.

Sincerely,

A handwritten signature in cursive script that reads "Delores M. Nelson".

Delores M. Nelson
Information and Privacy Coordinator

